



Refuse Collection Variance Program Overview



Water and Waste Management
Maricopa County Environmental Services Department



Maricopa County

Environmental Services Department

**Working with our community
to ensure a safe and healthy environment**

VISION STATEMENT:

As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:

The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.



Applicable Regulations

Arizona Administrative Code

R18-13-308. Frequency of Collection

- A. The frequency of collection shall be in accordance with rules of the collection agency but not less than that shown in the following schedules:
 - 1. Garbage only -- twice weekly.
 - 2. Refuse with garbage -- twice weekly.
 - 3. Rubbish and ashes -- as often as necessary to prevent nuisances and fly breeding.
- B. A variance from the required frequency rate may be granted to allow for the collection of garbage once weekly. The variance may be granted by the Department of Environmental Quality upon submission of an acceptable plan approved by the local health department demonstrating that no public health hazards or nuisances will exist and that fly breeding will be controlled by either biological, chemical, or mechanical means. The variance may be revoked whenever the Department of Environmental Quality determines that the circumstances warranting the variance no longer exist.



Applicable Regulations

Maricopa County Environmental Health Code

Chapter 2, Section 5, Regulation 4. Frequency of Collection

- a. The frequency of collection shall be in accordance with rules of the collection agency but not less than that shown in the following schedules:
 - 1) Garbage only -- twice weekly.
 - 2) Refuse with garbage -- twice weekly.
 - 3) Rubbish and ashes -- as often as necessary to prevent nuisances and fly breeding.
- b. A variance from the required frequency rate may be granted to a person with more than five (5) permitted vehicles to allow for the collection of garbage once weekly. The variance may be granted by the Environmental Health Officer upon submission of an acceptable garbage collection frequency plan to the Department demonstrating that no public health hazards or nuisances will exist and that fly breeding will be controlled by either biological, chemical or mechanical means. All garbage collection frequency variance plans shall provide for random inspections by the Department of at least 1% of all garbage collection.



Applicable Regulations

Maricopa County Environmental Health Code

Chapter 2, Section 5, Regulation 4. Frequency of Collection

- c. Variance requests pursuant to paragraph b. of this regulation shall be submitted to the Department on application forms approved by the Environmental Health Officer. An application shall not be complete until the applicant has paid the variance fee listed in chapter one of this Environmental Health Code.
- d. A person requesting a variance, pursuant to paragraph b. of this regulation, shall give notice of the requested variance to each person whose refuse collection is proposed to be affected. Notices shall be in a form approved by the Environmental Health Officer, and shall describe the requested variance. Each notice shall be mailed or left at the residence or place of business of each person prior to the start of variance collection.



Applicable Regulations

Maricopa County Environmental Health Code

Chapter 2, Section 5, Regulation 4. Frequency of Collection

- e. The standard collection service set forth in this chapter prescribes a minimum level of service and does not preclude a waste collector from providing a higher level of service.
- f. If the variance plan is found to be acceptable by the Environmental Health Officer, the Department will forward a copy of the plan to the Arizona Department of Environmental Quality (ADEQ). If approval of the variance plan is required by ADEQ, the Department may withhold its plan approval until written approval is obtained from ADEQ. If no approval of the variance plan is required from ADEQ, the Department will approve the plan and the approved variance plan shall become effective 30 days following Environmental Health Officer approval.
- g. The variance may be revoked upon determination by the Environmental Health Officer that a public health hazard or nuisance exists or the facts do not support a variance.



Applicable Regulations

Maricopa County Environmental Health Code

Chapter 2, Section 5, Regulation 7. Notices

- a. All collection agencies shall provide each householder, or business establishment served, with a copy of the requirements governing the storage and collection of refuse, which shall cover at least the following items:
 - 1) Definitions.
 - 2) Places to be served.
 - 3) Places not to be served.
 - 4) Scheduled day or days of collection.
 - 5) Materials acceptable for collection.
 - 6) Materials not acceptable for collection.
 - 7) Preparation of refuse for collection.
 - 8) Types and sizes of containers permitted.
 - 9) Points from which collections will be made.
 - 10) Necessary safeguards for collectors.
- b. All such notices governing storage and collection shall conform to these regulations.



Variance Plans

Typical Plans Include:

1. Maintain more than 5 permitted refuse haulers in operation with the Department
2. Annually update MCESD with number of refuse containers serviced
3. Demonstrate no public health hazard or nuisance will exist and fly breeding is controlled
4. Field audits to ensure no nuisance or fly breeding
5. Quarterly reporting including details of field audits and actions to correct compliance
6. Plan to address non-compliance inspection reports resulting from MCESD inspections
7. Plan to identify and replace damaged containers
8. A customer communication plan (start of variance, updates, and compliance issues)
9. Details of refuse stream reduction to support reduced collection (ex. Recycling)
10. Details of compliance with MCEHC Ch. 2, Reg. 3 (sufficient size, labelling, maintenance, cleanliness)
11. Route map and days of service
12. Plan for reporting updating the Department to collection area or days of service



Operational Permits Required

- An operational permit must be maintained and renewed annually
- MCESD inspects 1% of the reported annual refuse containers serviced
- Inspections reports include:
 - date of inspection
 - inspector
 - number of units inspected
 - number of units in violation
 - compliance deficiencies of containers
 - location of non-compliant units
 - compliance rate
- Violation coding was established by committee including State, Counties, and Cities (late 1990's)

VIOLATION CODES

| <u>Code</u> | <u>Violations</u> | <u>Points</u> |
|-------------|----------------------------------|---------------|
| 01 | Fly Larvae (or pupae present) | 10 |
| 02 | Container needs cleaning | 6 |
| 03 | Loose garbage | 8 |
| 07 | Open or untied bags | 4 |
| 09 | Container in poor repair | 6 |
| 10 | Lid open or Container overfilled | 2 |

COMMENT CODES

| <u>Comments</u> | <u>Code</u> |
|---------------------|-------------|
| Fly Tight Lid | L |
| Grass (Loose) | G |
| Diapers (unwrapped) | D |
| Adult Flies Present | F |
| Intense Odor | O |
| Pet Waste | P |
| Livestock Waste | W |



Approved Variances

Variance approval has been required since at least 1980. The first variance approved in Maricopa County was 1993 (Rio Verde HOA)

Current Operational Variances:

Anthem Community Council

Area Disposal Inc

City Of Avondale

City Of Chandler

City Of Glendale

City Of Goodyear

City Of Mesa

City Of Peoria Solid Waste

City Of Phoenix

City Of Scottsdale

City Of Surprise

City Of Tempe

City Of Tolleson

Parks & Sons Of Sun City Inc

Republic Services

Right Away Disposal

Town Of Carefree

Town Of Cave Creek

Town Of Gilbert

Town Of Queen Creek

Waste Management Of Arizona Inc



Questions?

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